

REMARKS

The applicant hereby affirms the election to prosecute the invention of Species V, claims 1 – 12. Claims 1, 3 and 6 – 12 are currently pending in the application.

Response to Claim Rejections – 35 USC § 102

Claims 1, 2, 4, 6, 8-10 and 12 were rejected as being anticipated by Kim. Kim discloses a roof top carrier assembly mounted on rails spaced from the roof of the vehicle. The claims as presently amended include limitations that an elongated member be mounted directly on the surface of a cargo bed of a vehicle and that the elongated member having a slot with an inverted rim for engaging at least one indent in the equipment mounting hardware. Kim does not disclose any of these limitations and thus is no longer applicable under 35 USC 102 or 103.

Claims 1, 2, 4-6, 9, 11 and 12 were also rejected under 35 USC 102(b) as being anticipated by Bott ‘804. Bott ‘804 does not disclose the claimed limitations that an elongated member be mounted directly on the surface of a cargo bed of a vehicle and that the elongated member having a slot with an inverted rim for engaging at least one indent in the equipment mounting hardware. Thus Bott ‘804 is no longer applicable under 35 USC 102 or 103.

Claims 1, 2, 4, 5, 8, 9, 11 and 12 were also rejected under 35 USC 102(b) as anticipated by Kowalski et al. Kowalski et al. does not disclose the claimed limitations that an elongated member be mounted directly on the surface of a cargo bed of a vehicle and that the elongated member having a slot with an inverted rim for engaging at least one indent in the equipment mounting hardware. Thus Kowalski et al. is no longer applicable under 35 USC 102 or 103.

Claims 1, 3, 4, 6, 9 and 12 were rejected under 35 U.S.C. 102(b) as being anticipated by Dixon et al. Dixon et al. does not disclose the claimed limitations that an elongated member be mounted directly on the surface of a cargo bed of a vehicle and that the elongated member having a slot with an inverted rim for engaging at least one indent in the equipment mounting hardware. Thus Dixon et al. is no longer applicable under 35 USC 102 or 103.

Response to Claim Rejections – 35 USC §103

Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Bott ‘804 in view of Bott ‘139. Neither of these references disclose the claimed limitations that an elongated member be mounted directly on the surface of a cargo bed of a vehicle and that the elongated

member having a slot with an inverted rim for engaging at least one indent in the equipment mounting hardware. Thus the claims are allowable over the cited references.

The Examiner is respectfully requested to telephone the undersigned if further discussions would advance the prosecution of this application.

Respectfully submitted,

Date: 12/16/05

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